

R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

The present invention concerns an apparatus comprising a circuit that may be configured to (i) change a frequency of one or more first signals in response to a second signal and (ii) generate a third signal in response to either the second signal or a predetermined time period expiring.

SUPPORT FOR CLAIM AMENDMENTS

Support for the amendments to the claims can be found in the drawings as originally filed, for example, in FIGS. 2-4 and in the specification as originally filed, for example, on page 3, lines 12-16, on page 7, line 17 through page 8, line 2, on page 13, line 6. As such, no new matter has been introduced.

IN THE DRAWINGS

Applicants' representative respectfully traverses the requirement to label FIG. 1. No admission has been made regarding the characterization of these figures as prior art and the requirement should be withdrawn. After the Examiner withdraws the rejection over the background section, Applicants' representative will label FIG. 1 "conventional".

The objection to the drawings under 37 CFR 1.83(a) has been obviated by appropriate amendment to claim 14 and should be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claims 1-4, 6-14 and 16-20 under 35 U.S.C. §103(a) as being unpatentable over Rosno et al. '986 (hereinafter Rosno) in view of Pole, II et al. '281 (hereinafter Pole) and the background section of the specification (hereinafter Background) is respectfully traversed and should be withdrawn.

The rejection of claim 5 under 35 U.S.C. §103(a) as being unpatentable over Rosno, Pole, Background and in further view of Ogilvie et al. '629 (hereinafter Ogilvie) is respectfully traversed and should be withdrawn.

The rejection of claim 15 under 35 U.S.C. §103(a) as being unpatentable over Rosno, Pole, Background and further in view of the I²C Bus specification is respectfully traversed and should be withdrawn.

The bases of the rejections under 35 U.S.C. §103(a) presented in the Office Action are not proper in light of the following evidence. The earliest priority date of Rosno is March 14, 2000. In particular, Rosno has a filing date of March 14, 2000 (see Rosno at page 1, item (22)). Attached to this response is a Declaration of Laura Engurasoff under 37 C.F.R. §1.131 providing

evidence that the present invention was conceived and reduced to practice prior to March 14, 2000 (see Exhibits A-F). Since the invention date of the present invention precedes the filing date of Rosno, Rosno is not available as prior art and the rejections should be withdrawn.

Specifically, Applicants may overcome a 35 U.S.C. §103 rejection based on a combination of references by showing completion of the invention by Applicants prior to any of the references (see MPEP §715.02). The rejections under 35 U.S.C. §103(a) are based on (i) the combination of Rosno, Pole and Background, (ii) the combination of Rosno, Pole, Background and Ogilvie and (iii) the combination of Rosno, Pole, Background and the I²C Bus specification. However, the present invention was completed prior to Rosno and, therefore, the rejections are not based on proper prior art and should be withdrawn.

In particular, the Declaration of Laura Engurasoff under 37 C.F.R. §1.131 (attached as Exhibit A) provides evidence that the presently claimed invention was completed prior to the Rosno reference and, therefore, overcomes the rejections under 35 U.S.C. §103 (see paragraph nos. 4-9 in the Declaration of Laura Engurasoff under 37 C.F.R. §1.131 and MPEP §715.02). Since the presently claimed invention was completed prior to the Rosno reference, the combinations of (i) Rosno, Pole and Background, (ii) Rosno, Pole, Background and Ogilvie and (iii) Rosno, Pole, Background and the

I²C Bus specification are not proper and the rejections under 35 U.S.C. §103(a) should be withdrawn.

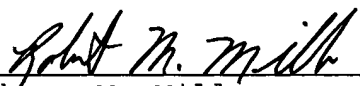
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge our office Account No. 50-0541.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.



Robert M. Miller
Registration No. 42,892
24025 Greater Mack, Suite 200
St. Clair Shores, MI 48080
(586) 498-0670

Dated: January 15, 2004

Docket No.: 0325.00370